

erred, but it has always been the upright judge who has stood between the citizen and oppression.

How is independence to be obtained? By making the tenure secure and giving your judges good salaries. Man is the creature of selfishness, and he would ask those members who advocated a term of years and re-eligibility, if they did not offer a temptation which it would be too hard to resist? Would not the judge, as his term was approaching to an end, look to the strongest political party for re-election? He cared not how upright the judge was, how high his moral worth, he could not be re-elected if he did not belong to the strongest party. He sees the universality of this rule from the election of president down to that of constable. This judge, who has sacrificed a lucrative practice, finds his term drawing to a close, and starvation for himself and family staring him in the face, and it is but human nature that he should lean to the side of that party which can cast the most votes.

Suppose he is called on to decide in a case where a prominent member of this political party is concerned. Then it is that the scales of justice, which should be grasped firmly, tremble in the balance. On the other hand, look at the judge who holds his office during good behavior. He has no inducement of party favor or no fear of party displeasure. He has everything to make him upright, impartial and independent. When the question of life tenure came up in that grand convention which gave us the Constitution of the United States, it received a unanimous vote, not one voice being raised against it. Our own constitution of 1776 contained this same grand principle, and so it remained until 1851, when the term of years principle was inserted. The spirit of reform which then ran riot all over the State was the cause of this, the wild cry of rotation in office which caused the greatest blow to be struck at constitutional liberty, by overthrowing an independent judiciary. What had been the workings of this new system, had not their experience of it been sufficient?

Mr. Wickes then, in advocacy of the life tenure, referred to the action of the Supreme Court in setting aside the sentence of the military commission in the case of Milli-